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AT SEATTLE
CLERK U.S. DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
BY DEPUTY

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Honorable Thomas S. Zilly
Set for Hearing August 29, 2003

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

VALVE, L.L.C., a Washington Limited
Liability Company,

Plaintiff,

v.

SIERRA ENTERTAINMENT, INC. (AKA
SIERRA ON-LINE, INC.), a Delaware
Corporation,

Defendant.

No. C 02-1683Z

[PROPOSED] ORDER GRANTING
PLAINTIFF'S MOTION TO COMPEL
DISCOVERY; DENYING
DEFENDANT'S MOTION FOR
PROTECTIVE ORDER; AND
AMENDING THE CASE SCHEDULE

THIS MATTER having come on for hearing before the undersigned Judge of the
above-entitled Court, and the Court having considered the moving and responding papers of
both plaintiff's Motion to Compel and defendant's Motion for Protective Order, the relevant
supporting declarations, and other pleadings on file herein, the Court grants plaintiff's motion
to compel discovery, denies defendant's motion for protective order, and amends the case
schedule as set forth below. The Court also awards to plaintiff its reasonable expenses in
bringing its motion to compel and opposing defendant's motion for protective order, including
its attorneys fees, in an amount to be determined by further proceedings of this Court.

ORDER GRANTING PLAINTIFF'S
MOTION TO COMPEL DISCOVERY,
DENYING DEFENDANT'S MOTION
FOR PROTECTIVE ORDER, AND
AMENDING CASE SCHEDULE- 1



02-CV-01683-PRO

ORDER

IT IS ORDERED, therefore, that Valve's motion to compel discovery from Sierra and its affiliates (including, but not limited to, Vivendi Universal Games, Vivendi Universal Publishing Company, Vivendi Universal Interactive Publishing International, S.A., and Vivendi Universal Games Asia Pacific Pte, Ltd. (its "Affiliates")) is GRANTED. Sierra's objection to producing documents and information based upon a claim of "extraterritoriality" and/or the claim that such documents need not be produced because they are kept outside the United States lacks merit. Sierra shall produce materials and information from its (and its Affiliates') domestic and foreign offices as requested by Valve in its First Set of Request for Production and First Set of Interrogatories dated April 10, 2003. Such production shall commence as soon as possible and must be reasonably completed forty (40) days from the date of this order. Sierra shall produce materials on a rolling basis as they become available during this time period.

It is FURTHER ORDERED, that Sierra's motion for protective order is DENIED.

It is FURTHER ORDERED, that in order to permit time for the ordered discovery to occur, the current pre-trial deadlines and trial date should be modified to allow additional time of approximately three months, as follows:

(1) Disclosure of expert testimony under FRCP 26(a)(2)	Thursday, January 15, 2004 (formerly October 16, 2003)
(2) All motions relating to discovery must be filed by and noted on the motion calendar no later than the third Friday thereafter	Thursday, February 12, 2004 (formerly November 13, 2003)
(3) Discovery completed by:	Thursday, March 18, 2004 (formerly December 15, 2003)

ORDER GRANTING PLAINTIFF'S
MOTION TO COMPEL DISCOVERY,
DENYING DEFENDANT'S MOTION
FOR PROTECTIVE ORDER, AND
AMENDING CASE SCHEDULE- 2

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(4) All dispositive motions must be filed by and noted for the fourth Friday thereafter:	Thursday, April 15, 2004 (formerly January 14, 2004)
(5) Settlement conference per CR 39.1(c)(2) held no later than:	Friday, May 14, 2004 (formerly February 13, 2004)
(6) Mediation per CR 39.1(c)(3) held no later than	Friday, June 11, 2004 (formerly March 12, 2004)
(7) All motions in limine must be filed by and noted on the motions calendar no later than the second Friday thereafter:	Thursday, June 17, 2004 (formerly March 15, 2004)
(8) Agreed pretrial order due:	Monday, June 28, 2004 (formerly March 29, 2004)
(9) Pretrial conference to be held at 3:00 p.m. on:	Thursday, July 1, 2004 (formerly April 2, 2004)
(10) Trial briefs, proposed voir dire questions, jury instructions, and proposed findings of fact and conclusions of law:	Wednesday, July 7, 2004 (formerly April 7, 2004)
(11) TRIAL DATE Length of Trial: 7-10 days	Monday, July 12, 2004 (formerly April 12, 2004)

It is FURTHER ORDERED, pursuant to Fed R. Civ. P. 37(a)(4), that Sierra shall pay Valve its reasonable expenses in bringing this motion, including its attorneys fees, the amount of which will be determined by further proceedings of this Court .

DATED: _____.

Judge Thomas S. Zilly
United States District Court

Presented by:

PRESTON GATES & ELLIS LLP

By: 

Karl J. Quackenbush, WSBA #9602
Jason P. Holtman, WSBA # 28233
Attorneys for Plaintiff
Valve, LLC

ORDER GRANTING PLAINTIFF'S
MOTION TO COMPEL DISCOVERY,
DENYING DEFENDANT'S MOTION
FOR PROTECTIVE ORDER, AND
AMENDING CASE SCHEDULE- 3

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